

House Appropriations Committee Decision Document

Representative Greg Bonnen, Subcommittee Chair on Article III

Members: Representatives Gonzalez, Howard, Schaefer, Sherman, Stucky, VanDeaver, and Walle

Decisions as of March 6, 2019, 6:00 pm

LBB Manager: Andy MacLaurin

Article III Public Education Total, Article III Public Education Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Texas Education Agency (703)								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ 5,503,586	\$ 5,503,586	\$ -	\$ -	\$ 4,551,468	\$ 4,551,468
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Texas School for the Blind and Visually Impaired (771)								
Total, Outstanding Items / Tentative Decisions	\$ 6,015,016	\$ 6,015,016	\$ 1,282,574	\$ 1,282,574	\$ -	\$ -	\$ 4,000,000	\$ 4,000,000
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	6.0	6.0	0.0	0.0	0.0	0.0
Texas School for the Deaf (772)								
Total, Outstanding Items / Tentative Decisions	\$ 28,783,520	\$ 28,783,520	\$ 580,788	\$ 580,788	\$ 1	\$ 1	\$ 2,097,522	\$ 2,097,522
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	8.0	8.0
Special Provisions for the School for the Blind and Visually Impaired and School for the Deaf (S20)								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Teacher Retirement System (323)								
Total, Outstanding Items / Tentative Decisions	\$ 1,088,967,411	\$ 1,123,767,411	\$ -	\$ -	\$ -	\$ 26,500,000	\$ 1,088,967,411	\$ 1,088,967,411
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	127.0	0.0	0.0
Optional Retirement Program (32C)								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III Public Education Total, Article III Public Education Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions	\$ 1,123,765,947	\$ 1,158,565,947	\$ 7,366,948	\$ 7,366,948	\$ 1	\$ 26,500,001	\$ 1,099,616,401	\$ 1,099,616,401
Total GR & GR-Ded Adopted Items less Cost-out	\$ 1,123,765,947	\$ 1,158,565,947	\$ 7,366,948	\$ 7,366,948	\$ 1	\$ 26,500,001	\$ 1,099,616,401	\$ 1,099,616,401
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	6.0	6.0	0.0	127.0	8.0	8.0

Article III Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Update Rider 24, Appropriations Limited Revenue Collections, to reflect updated estimates of other direct and indirect costs. Fiscal year 2020 will be changed from \$3,172,180 to \$2,722,435, and fiscal year 2021 will be changed from \$3,150,581 to \$2,718,914.					Adopt			
Agency Requests:								
1. Windham School District Program Expansion: Funding initiatives include: a six percent teacher/staff pay raise (\$5.5 million), expanding female offender vocational programs (\$2.3 million), increased funding for industry certification programs (\$0.6 million), year-round school programming (\$1.0 million), and expanding apprenticeship programs (\$0.7 million). House Bill 1 as Introduced provides \$104.4 million in General Revenue Funds for Windham School District. \$5.5 million: pend - salary			\$ 5,503,586	\$ 5,503,586			\$ 4,551,468	\$ 4,551,468

Article III Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2020-21 Biennial Total</u>		Pended Items <u>2020-21 Biennial Total</u>		Adopted <u>2020-21 Biennial Total</u>		Article XI <u>2020-21 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Rider Request: The agency requests amendment of Rider 3, Foundation School Program Funding, to authorize the Commissioner to transfer FSP funds from the second year of the biennium to the first to the extent necessary to avoid reductions in state aid. Currently, the Commissioner is required to have LBB and Governor's Office approval before making such a transfer. Such transfers were approved moving \$201 million of FY 2017 funds into FY 2016, and from \$101 million of FY 2019 funds into FY 2018.								
3. Rider Request: The agency requests amendment of Rider 39, Capital Budget Expenditures from Federal and Other Funding Sources, exempting TEA from Article IX capital budget limitations for major state data system revision projects to broaden its applicability to any project.					Adopt			
4. Rider Request: New rider that would provide the agency with authority to transfer federal funds from a non-capital budget item to an existing or new capital budget item for the implementation of a unanticipated project, provided that the new project is 100 percent federally funded.					Adopt			
5. Rider Request: Agency requests unexpended balance authority within the biennium for several non-FSP programs.					Adopt			

Article III Public Education Texas Education Agency (703) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2020-21 Biennial Total</u>		Pended Items <u>2020-21 Biennial Total</u>		Adopted <u>2020-21 Biennial Total</u>		Article XI <u>2020-21 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Subcommittee Revisions and Additions:								
1. As a conforming change to reflect amounts included in House Bill 1 as Introduced, add a new rider, Grants for Students with Autism, specifying that TEA shall use \$10.0 million in each fiscal year to provide grants for innovative services for students with autism.					Adopt			
2. As a conforming change to reflect amounts included in House Bill 1 as Introduced, add a new rider, Grants for Students with Dyslexia specifying that TEA shall use \$10.0 million in each fiscal year to provide grants for innovative services for students with dyslexia.					Adopt			
3. Amended Rider 17, Professional Development for the Provision of Access to the General Curriculum for Students with Disabilities in the Least Restrictive Environment, to require TEA to report certain information regarding IDEA, Part B funds to the LBB on an annual basis.					Adopt			
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ 5,503,586	\$ 5,503,586	\$ -	\$ -	\$ 4,551,468	\$ 4,551,468
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III Public Education Texas School for the Blind and Visually Impaired (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
1. General Revenue Operating Funding: The agency requests GR to replace Appropriated Receipt base funding for residential programming, short-term programs, related and support services, statewide outreach, and campus operations. During the 2018-19 biennium, the agency collected \$3.7 million less in Appropriated Receipts than were estimated in the 2018-19 GAA. House Bill 1 includes 2020-21 Appropriated Receipts funding at the actual collected 2018-19 levels. The agency has offset some of this decrease by drawing additional trust funds and is requesting GR funding to replace the remaining difference.	\$ 3,000,000	\$ 3,000,000					\$ 3,000,000	\$ 3,000,000
2. Salary Increases for Direct Care Employees: The agency requests funding for an average 10.0 percent pay increase for Residential Specialists, Teacher Aides, and Nurses to decrease turnover and fill vacancies. (The agency indicates turnover rates for Teacher Aides and Residential Specialists II and IV are 18.9 percent, 15.0 percent, and 18.2 percent, respectively.) Pend - salary	\$ 1,282,574	\$ 1,282,574	\$ 1,282,574	\$ 1,282,574				
3. CAPPS Implementation: The agency requests an additional 6.0 FTEs in accounting, budget, procurement, and IT departments for transition to CAPPS financials.	\$ 732,442	\$ 732,442						

Article III Public Education Texas School for the Blind and Visually Impaired (771) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
4. Rider Request: Amend Rider 5, Cash Flow Contingency, and appropriate additional GR each fiscal year in of the 2020-21 biennium for TSBVI to use temporarily while waiting for federal reimbursement. Current rider only allows transfers of existing GR from the second to first year of the biennium and repays the transferred amount with federal reimbursements.	\$ 1,000,000	\$ 1,000,000					\$ 1,000,000	\$ 1,000,000
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 6,015,016	\$ 6,015,016	\$ 1,282,574	\$ 1,282,574	\$ -	\$ -	\$ 4,000,000	\$ 4,000,000
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	6.0	6.0	0.0	0.0	0.0	0.0

Article III Public Education Texas School for the Deaf (772) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Add \$1.00 in General Revenue in FY 2020 to Strategy A.1.3, Related and Support Services to correct a rounding error in the mental health counselor's salary related to school safety funding.	\$ 1	\$ 1			\$ 1	\$ 1		
2. Revise Rider 4, Campus Safety and Security Funding to specify that \$325,000 of in Economic Stabilization Funds provided for school safety and security in FY 2020 shall be transferred to the Texas Facilities Commission, which maintains TSD facilities.					Adopt			
Agency Requests:								
1. Additional Staff for Special Education Direct Services: The agency requests additional staff for classroom instruction and direct student support. Request includes 8.0 FTEs and \$952,522 in GR for nine additional teaching and special education support staff.	\$ 952,522	\$ 952,522					\$ 952,522	\$ 952,522
2. Campus Furniture: Agency requests \$600,000 to replace student dorm and classroom furniture and \$500,000 for furniture for the newly constructed Toddler Learning Center and Central Services Building.	\$ 1,100,000	\$ 1,100,000					\$ 1,100,000	\$ 1,100,000

Article III Public Education Texas School for the Deaf (772) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3. Transportation Items: TSD requests \$45,000 for vehicles, including \$20,000 for one utility truck and \$25,000 to purchase a 77-passenger school bus for daily transportation of local students. House Bill 1 as Introduced continues base GR funding of \$225,000, which is \$25,000 less than the cost of two 77-passenger vehicles TSD reports needing replacement in the upcoming biennium.	\$ 45,000	\$ 45,000					\$ 45,000	\$ 45,000
4. Staff Salary Increase: Agency requests \$580,788 to grant 5 percent across-the-board salary increases to bus drivers, day and night residential educators, cafeteria, behavior support, teacher aides, security, and IT staff. According to TSD, current turnover rates for those employees are 15.4 percent, 29.0 percent, 28.6 percent, 26.3 percent, 14.3 percent, 10.8 percent, and 29.6 percent, respectively. Pend - salary	\$ 580,788	\$ 580,788	\$ 580,788	\$ 580,788				

Article III Public Education Texas School for the Deaf (772) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5. Master Plan Phase 2, New and Repurposed Facilities: TSD requests \$2,277,913 for Career and Technology (CTE) program classroom expansion, \$4,898,849 for rehabilitation of the Clinger Elementary Multipurpose Activity Space, \$9,258,959 for renovation of the Seeger Gymnasium, \$6,880,604 for construction of transitional housing for students aged 18-22, and \$2,788,884 for improvements to pedestrian and vehicle traffic circulation on campus. Master Plan Phase 1 projects, including the Toddler Learning Center and Central Services Building, were funded with \$14.6 million in Economic Stabilization Funds in the 2018-19 biennium. If the 2020-21 request is funded, amounts would be transferred to Texas Facilities Commission (TFC), which manages TSD facilities.	\$ 26,105,209	\$ 26,105,209						
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 28,783,520	\$ 28,783,520	\$ 580,788	\$ 580,788	\$ 1	\$ 1	\$ 2,097,522	\$ 2,097,522
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	8.0	8.0

Article III Public Education Special Provisions for the School for the Blind and Visually Impaired and the School for the Deaf (S20) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2020-21 Biennial Total		Pended Items 2020-21 Biennial Total		Adopted 2020-21 Biennial Total		Article XI 2020-21 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
1. None.								
Subcommittee Revisions and Additions:								
1. Added a new rider, Prepayment of SWCAP Facilities Payments, specifying that any Statewide Cost Allocation Plan (SWCAP) costs assessed to either TSBVI or TSD for Texas Facilities Commission planning or real estate management are considered paid in full for the purpose of reimbursing General Revenue for statewide allocated costs.					Adopted			
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article III Public Education Teacher Retirement System (323) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2020-21 Biennial Total</u>		Pended Items <u>2020-21 Biennial Total</u>		Adopted <u>2020-21 Biennial Total</u>		Article XI <u>2020-21 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:								
1. Retirement Contribution Rate Increase. Funding sufficient to provide a cumulative 1.82 percent contribution rate increase in the 2020-21 biennium to make the Pension Trust Fund actuarially sound. (Note: \$1.1 billion request reflects TRS' estimate of the GR cost of the requested state contribution rate increase.)	\$ 1,088,967,411	\$ 1,088,967,411					\$ 1,088,967,411	\$ 1,088,967,411
2. Investment Management Staff. Agency requests \$10.5 million in Pension Trust Funds (Other Funds) for 30.0 additional FTEs related to investment management.	\$ -	\$ 10,500,000			\$ -	\$ 10,500,000		
3a. Customer Service and Administrative Support Staff: The agency requests \$16.0 million in Pension Trust Funds (Other Funds) for 97.0 additional FTEs, including 75.0 FTEs for Administrative Support and 22.0 for Benefits Services. Recommendations in House Bill 1 as Introduced include an increase of 14.0 FTEs for Administrative Support and 29.0 FTEs for Benefits Services that were approved by the TRS Board during the 2018-19 biennium.	\$ -	\$ 16,000,000			\$ -	\$ 16,000,000		
3b. Building Renovation: TRS requests \$3.0 million in Pension Trust Funds (Other Funds) for renovation of the agency's headquarters to consolidate call center operations.		\$ 3,000,000						

Article III Public Education Teacher Retirement System (323) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2020-21 Biennial Total</u>		Pended Items <u>2020-21 Biennial Total</u>		Adopted <u>2020-21 Biennial Total</u>		Article XI <u>2020-21 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4. New Rider Request: Augmenting Customer Service Delivery and Investment Trust Performance. TRS requests a new rider authorizing the agency to increase its FTE count above the GAA limitation by fiduciary finding of the TRS Board. Rider would require TRS to provide justification for FTEs and annual progress reports to LBB and the Governor.							Adopt	
5. New Rider Request and Appropriation: Unexpended Balance for Pension Trust Fund Capital Budget Items. Agency requests new rider granting UB authority of Pension Trust Funds remaining as of August 31, 2018 for capital budget projects, including the TEAM Program and CAPPs - Enterprise Resource Planning (ERP) funded in the 2018-19 GAA. Current UB estimates are \$500,000 for CAPPs and \$4.8 million for TEAM.		\$ 5,300,000						
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 1,088,967,411	\$ 1,123,767,411	\$ -	\$ -	\$ -	\$ 26,500,000	\$ 1,088,967,411	\$ 1,088,967,411
	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	127.0	0.0	0.0

Article III Public Education Optional Retirement Program (32C) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2020-21 Biennial Total</u>		Pended Items <u>2020-21 Biennial Total</u>		Adopted <u>2020-21 Biennial Total</u>		Article XI <u>2020-21 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
1. None.								
Subcommittee Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Article III Public Education	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021	FY 2020	FY 2021
Total, Full-time Equivalent / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Texas Education Agency, Article III
Proposed Rider
Grants for Students with Autism

Prepared by LBB Staff, 1/16/19

Overview

The purpose of this rider is to direct the Texas Education Agency to use \$10.0 million in each fiscal year for autism grants.

Required Action

In the Texas Education Agency bill pattern (Article III), add the following rider:

_____.
Grants for Students with Autism. Out of General Revenue Funds appropriated above in Strategy A.2.3, Students with Disabilities, the Texas Education Agency (TEA) shall use \$10,000,000 in fiscal year 2020 and \$10,000,000 in fiscal year 2021 to provide grants for innovative services for students with autism. These grants shall be made in accordance with Texas Education Code Section 29.026.

Any unexpended balances as of August 31, 2020 are hereby appropriated to fiscal year 2021 for the same purpose.

Texas Education Agency, Article III
Proposed Rider
Grants for Students with Dyslexia

Prepared by LBB Staff, 1/16/19

Overview

The purpose of this rider is to direct the Texas Education Agency to use \$10.0 million in each fiscal year for dyslexia grants.

Required Action

In the Texas Education Agency bill pattern (Article III), add the following rider:

_____.
Grants for Students with Dyslexia. Out of General Revenue Funds appropriated above in Strategy A.2.3, Students with Disabilities, the Texas Education Agency (TEA) shall use \$10,000,000 in fiscal year 2020 and \$10,000,000 in fiscal year 2021 to provide grants for innovative services for students with dyslexia. These grants shall be made in accordance with Texas Education Code Section 29.027.

Any unexpended balances as of August 31, 2020 are hereby appropriated to fiscal year 2021 for the same purpose.

Texas Education Agency, Article III
Proposed Rider
Adding a Reporting Requirement to TEA Rider 17

Prepared by LBB Staff, 2/26/19

Overview

This rider amendment would add a reporting requirement to TEA Rider 17, Professional Development for the Provision of Access to the General Curriculum for Students with Disabilities in the Least Restrictive Environment. The intent of this reporting requirement would be ensuring agency compliance with the requirement that 10.5 percent of the agency's IDEA, Part B set-aside should be used for certain capacity building projects. In fiscal year 2020 and fiscal year 2021, TEA would be required to report the following information to the Legislative Budget Board:

- The total amount of funds awarded to the Texas Education Agency through IDEA, Part B;
- The amount of IDEA, Part B funds set aside and reserved for state-level activities; and
- The amount of funds set aside to fund capacity building projects for the provision of access to the general curriculum for students with disabilities and Response to Intervention (RtI) processes for struggling learners in general education settings.

Required Action

On page III-10 of the Texas Education Agency bill pattern, amend the following rider:

17. **Professional Development for the Provision of Access to the General Curriculum for Students with Disabilities in the Least Restrictive Environment.** Out of the federal discretionary funds awarded to the Texas Education Agency (TEA) through the Individuals with Disabilities Education Act (IDEA), Part B, which are set aside and reserved for state-level activities, and appropriated above, the Commissioner shall set aside 10.5 percent during the biennium to fund capacity building projects, including professional development and support, for school districts to provide access to the general curriculum in the least restrictive environment for students with disabilities and Response to Intervention (RtI) processes for struggling learners in general education settings.

For each year of the biennium, TEA shall report to the Legislative Budget Board (LBB):

1. The total amount awarded to the Texas Education Agency through IDEA, part B;
2. The amount of IDEA, Part B funds set aside and reserved for state-level activities; and
3. The amount of funds set aside to fund capacity building projects, including professional development and support, for school districts to provide access to the general curriculum in the least restrictive environment for students with disabilities and RtI processes for struggling learners in general education settings, as required by this rider.

The report summarizing the above information for the 2020 fiscal year shall be submitted by August 31, 2020. The report summarizing the above information for the 2021 fiscal year shall be submitted by August 31, 2021.

By: _____

Special Provisions for the School for the Blind and Visually Impaired and School for the Deaf, Article III

Proposed Rider SWCAP Facilities Prepayment

Prepared by LBB Staff, 3/5/2019

Overview

Prepare a rider which provides that allocations of costs for Texas Facilities Commission (TFC) services to the School for the Blind and Visually Impaired (TSBVI) and School for the Deaf (TSD) through the Statewide Cost Allocation Plan (SWCAP) are considered paid in full pursuant to prior transfers of appropriations from TSBVI and TSD to TFC.

Required Action

On page III-37 of the Special Provisions for the School for the Blind and Visually Impaired and School for the Deaf bill pattern, add the following rider:

_____. **Prepayment of SWCAP Facilities Payments.** Pursuant to Senate Bill 1457, Eighty-third Legislature, Regular Session, 2013, and Senate Bill 836, Eighty-fourth Legislature, Regular Session, 2015, transferring all duties, appropriations, and full-time-equivalent positions related to the management of physical facilities from the School for the Blind and Visually Impaired (TSBVI) and the School for the Deaf (TSD) to the Facilities Commission (TFC), any costs for TFC planning or real estate management assessed to TSBVI and TSD through the Statewide Cost Allocation Plan (SWCAP) under Government Code Chapter 2106, and Article IX, Sec. 15.04, are considered paid in full for purposes of reimbursing General Revenue for statewide allocated costs.